

To: Honorable William H. Walls
United States District Judge

cc: Leslie Schwartz
Assistant United States Attorney

Kevin Carlucci
Defense Counsel

From: Michele Roman
United States Pretrial Services Officer

Re: Moro, David
Docket No. 2:09CR00137-1

Date: July 18, 2011

Attached is a Petition for Action on Conditions of Pretrial Release recommending that Your Honor order the following:

☐ A warrant shall be issued for the defendant's arrest due to violation of the conditions of pretrial release. In the interest of safety, this Petition for Action shall be sealed until such time as the warrant is executed and upon further order of the Court.

☐ The conditions of release shall be amended as indicated in the attached Petition for Action.

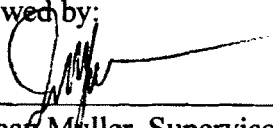
☒ A hearing shall be scheduled to address the violation of the conditions of pretrial release.

Should Your Honor concur with the recommendation, an Order has been provided for your signature.

Pretrial Services is available to the Court should any further information be needed.

Thank you for Your Honor's attention to this matter.

Reviewed by:



Jonathan Muller, Supervisory
United States Pretrial Services Officer

Petition for Action on Conditions of Pretrial Release

COMES NOW **Michele Roman** PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant **David Moro**, who was placed under pretrial release supervision by the **Honorable Ester Salas** sitting in the Court at Newark, New Jersey, on November 7, 2007, under the following conditions:

\$500,000 bond secured by \$250,000 in equity from land owned by his parents and co-signed by both parents and the following conditions of release:

1. Pretrial Services supervision;
2. Maintain address at 315 Quaker Road, Pomona, New York 10970;
3. Surrender passport and do not apply for additional travel documents;
4. Travel restricted to the District of New Jersey and New York

On November 16, 2009 the defendant's bail was modified to include mental health testing and treatment as deemed appropriate by Pretrial Services. In addition he is to comply with the Order of Protection.

On November 16, 2010 the defendant was found guilty after a jury trial and his bail was modified as follows: Defendant to participate in electronic monitoring with home detention. Defendant is allowed to leave his residence for employment, education, religious services, medical, substance abuse, mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities as pre-approved by Pretrial Services office or the supervising officer of the court.

On December 7, 2010 the defendant's bail conditions were modified as follows: Defendant to submit to home detention with electronic monitoring: Specifically the court intends that the defendant is to wear an electronic monitor and pay the costs of the electronic monitor and the defendant shall be permitted to leave his residence for food shopping, employment or business, religious services, medical attention, attorney visits, court appearances, subject to the defendant returning to his residence by midnight and subject to the defendant providing to Pretrial Services his daily itinerary prior to leaving his residence. Defendant may also leave his residence for additional activities that may be pre-approved by Pretrial Services, also subject to the defendant returning to his residence by midnight.

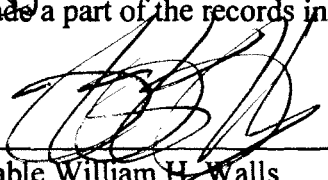
On December 20, 2010 the defendant's bail conditions were modified as follows: The bail conditions in this matter remain in full force and effect except that the defendant may be away from his residence after midnight for employment only on condition that he provide Pretrial Services with proof of employment during those hours.

Respectfully presenting petition for action of Court and for cause as follows:

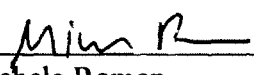
[SEE ATTACHED ADDENDUM]

and made a part of the records in the above case.

on _____



Honorable William H. Walls
United States District Judge



Michele Roman
United States Pretrial Services Officer

ADDENDUM TO PETITION FOR ACTION ON
CONDITIONS OF PRETRIAL RELEASE

On Sunday, July 17, 2011 the defendant had authorization to leave his residence from 3:00 PM until 7:00 PM to meet with clients for work. He did not return to his residence until 8:43 PM and then left again without authorization at 8:49 PM. The defendant did not return to his residence until 12:10 AM on Monday, July 18, 2011.

In addition Pretrial Services has made numerous requests from the defendant to verify his employment through pay checks and/or manifests. He fails to provide these as ordered by the Court in his conditions of bail.

Pretrial Services has informed the Government and Defense Counsel of the above violations and the Government concurs with our agency's recommendation that a bail review hearing be scheduled.
